

BUSINESS MEETING

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WEDNESDAY, FEBRUARY 11, 2009

United States Senate,
Committee on Rules and Administration,
Washington, D.C.

The committee met, pursuant to notice, at 10:37 a.m., in Room 301, Russell Senate Office Building, Hon. Charles E. Schumer, chairman of the committee, presiding.

Present: Senators Schumer, Durbin, Nelson, Pryor, Udall, Warner, Bennett, and Roberts.

Staff Present: Jean Bordewich, Staff Director; Jason Abel, Chief Counsel; Veronica Gillespie, Elections Counsel; Adam Ambrogi, Counsel; Carole Blessington, Assistant to the Staff Director; Brenna Allen, Professional Staff; Lynden Armstrong, Chief Clerk; Justin Perkins, Staff Assistant; Mary Jones, Republican Staff Director; Shaun Parkin, Republican Deputy Staff Director; Paul Vinovich, Republican Chief Counsel; Michael Merrell, Republican Elections Counsel; Abbie Platt, Republican Professional Staff; Trish Kent, Republican Professional Staff; Rachel Creviston, Republican Professional Staff.

OPENING STATEMENT OF CHAIRMAN SCHUMER

Chairman Schumer. The Rules Committee will come to order and I want to wish everyone good morning to our first Rules Committee meeting of the 111th Congress.

The first thing I want to do is express appreciation to Senator Feinstein for the

fabulous job she did and hard work. She is moving on to the Intelligence Committee.

They are lucky to have her.

I also want to thank the outgoing staff director, Howard Gantman, for all his hard work and the staff is, I have learned at the early stages, is just truly a professional group and so professional that they handle most things without bothering the chairman, the ranking member or the other members, and that is great. So I thank all of you for the great work that you have done, and since we are keeping almost all of the staff, that you will do.

I would also like to say how much I am going to look forward to working with Senator Bennett during this Congress. He is just one of the finest people around here, and Senator Roberts, you are lucky to be mistaken for him from time to time and maybe you will grow a few inches.

The Committee, this year we have a number of important issues to consider, election administration, campaign finance, oversight of the Senate, legislative branch functions, executive agencies and a host of other important issues, so it is going to be a busy year. The ranking member and I look forward to dealing with these issues as well as working with all of you.

Good morning. Thank you for coming, Senator Udall. The freshmen members of the Committee, I believe the new members of the committee have 100 percent attendance.

Senator Bennett. Yes.

Chairman Schuman. Which is very good. Wish we could say that for the rest.

Anyway, so it is going to be a good -- it is going to be a good year and I want to welcome both Senator Roberts of Kansas, our new Republican member, and our two new members from the Democratic side, Tom Udall and Mark Warner. Thank you both for being here. It is three great new members who have lots of experience in many different ways and I know they will contribute well to the Committee.

Now I am going to turn it over to Senator Bennett to make a few remarks.

OPENING STATEMENT OF SENATOR BENNETT

Senator Bennett. Thank you very much, Mr. Chairman, and I certainly echo and associate myself with your comments with respect to Senator Feinstein and her staff. This was as pleasurable a committee assignment as I have had in the Senate and as congenial a relationship as I have had with a chairman. I want to look forward to the same relationship with you. I think our personal friendship suggests that that will be the case.

Chairman Schumer. Agreed.

Senator Bennett. Even when we may disagree on policy issues. I say welcome to the new members and as I have commented, service on this Committee will do you no good whatsoever in terms of your relationship with your constituents, who do not care at all about the issues of administration of the United States Senate, but when people want rooms or other accommodations, it makes you very, very popular with your

colleagues.

Chairman Schumer. Until the decision is made.

Senator Bennett. Until the decision is made. But it is an interesting committee.

It has an interesting jurisdiction and I think particularly with respect to some of the election issues, it might turn out to be one of the more stimulating experiences you have in this Congress.

So we welcome you and appreciate your participation. With that, Mr. Chairman, I am prepared to proceed with the agenda where we adopt our rules for the year.

Chairman Schumer. Great, that will be terrific. I wonder if any of our colleagues would like to make any statements? Senator Udall? Senator Warner?

Senator Udall. My staff sent me over with an one-hour speech and I am going to forego that.

Chairman Schumer. By unanimous consent the entire speech will be placed in the record.

Senator Udall. Okay, thank you.

Chairman Schumer. However long it may end up being.

Chairman Schumer. Senator Warner?

Senator Warner. Mr. Chairman, I am happy to be on the Committee. I do not know if this shows that I drew the long straw or the short straw, but I am happy to be here.

Chairman Schumer. Senator, you always seem to draw both. Senator Roberts?

OPENING STATEMENT OF SENATOR ROBERTS

Senator Roberts. I have the dubious privilege of being the longest serving member on the Ethics Committee in the history of the United States Senate. I was wondering if I could switch with somebody?

Thank you, Chuck, and it is good to be on the Committee. I did not expect this privilege, but I will try to do my very best and I have already received the donut and a cup of coffee, just like that, so things could not be any better. I look forward to working with you.

Chairman Schumer. Thank you, Senator, and Senator and I know each other from our House days when we played in the gym everyday and he set the best picks. He is the most solid and subtle pick, picker--I do not know what the word is--maker of picks on the basketball court. I think many a Democrat was injured crashing into him.

Senator Roberts. I think you called it a foul at the time.

Chairman Schumer. Yes, indeed. I was trying to be polite. Okay, well why don't

we get started? I want to thank you.

Our agenda this morning is the adoption of the Committee Rules of Procedure and then the approval of an original resolution which will fund the Rules Committee during the 111th Congress.

As for the rules of procedure, they are virtually the same as last Congress and I do not think there is any dispute. Senator Bennett and I have agreed that they worked well last year and we ought to just keep them.

The second item is the approval of the budget. As many members are aware, the Rules Committee recently sent a letter to the Committee chairman, ranking members regarding their budgets for the 111th Congress and the letter included guidance from the leadership on the amount of funds that would be available for expenditures and I am pleased to report that the Rules Committee resolution is within the guidelines set by Senators Reid and McConnell.

Most of the committees got very nice allocations. I am also pleased to inform the Committee that the other committees will be reporting resolutions that were within the leadership guidelines, so everyone is pretty happy. We do not have anybody protesting and that is all to the good.

According to the Committee's rule procedures, we need seven members to begin discussing Committee business and we need ten members to conduct the Committee business for today. We want to welcome Senator Pryor, who is the sixth member, so one more, and Senator Feinstein is on her way. Good.

We need 10 members to report legislation, but when seven members are present, we can begin to discuss the agenda items and at that time, I am going to entertain a motion to adopt the rules of procedure and approve the original resolution authorizing expenditures for the Rules Committee for the 111th.

So we do not have a quorum, but if the members would indulge and wait a few minutes and see if Senator Feinstein comes by, we can then just at least move the resolutions. Here is Senator Nelson, and we are truly privileged to have Senator Nelson here because I was in Senator Reid's office just about a half hour ago and he was on the phone with Senator Nelson talking about the important work Senator Nelson is doing on the economic recovery package.

So we appreciate your taking the time to being here Ben, and we have been joined also by Mark Pryor, great member. Would either of you like to say anything? Senator Nelson?

Senator Nelson. I would say, Mr, Chairman, thank you. Ever since you took over my public relations effort and taken over officially, my coverage has been increased dramatically and I just want to thank you.

Chairman Schumer. You have done a great job and you deserve it. Senator Pryor, how is your coverage?

Senator Pryor. I'll always [inaudible] improved.

Chairman Schumer. Great. Okay, just for Mark and Ben, we need seven.

Senator Roberts. We have seven.

Chairman Schumer. We have seven. Thank you, Senator Roberts. You are already contributing in a very material--

Senator Roberts. Mr. Chairman, I move that we adopt the rules and resolution.

Chairman Schumer. We can move them, but we cannot vote on them until we have 10 members. But we will--

Senator Nelson. Second.

Chairman Schumer. Second. Thank you, Senator Nelson. We will try to just convene a vote right off the floor to get the 10 members to adopt the rules. So we have the motion. It is seconded and we will let you know when we will meet on that.

We are expecting both Senators Durbin and Feinstein, which will bring us to nine, so if members wouldn't mind waiting a couple of minutes. Let's say if we don't have nine by 10 of 11, we will just adjourn; how is that? Because if we have nine, we will just somehow dragoon the 10?

Senator Bennett. Mr. Chairman, it is my understanding that with seven we can adopt the resolution, the rules, but we cannot adopt the funding resolution.

Chairman Schumer. Is that correct? That is correct. Good. Okay, well then let me ask, does anyone wish to have a roll call vote on the rules of the Committee? If not, let me just ask all in favor, say aye.

[A chorus of ayes.]

Chairman Schumer. Opposed, nay. And the motion is agreed to, so the rules of procedure adopted. The original resolution is approved and reported.

Now we will just wait for the funding resolution.

Senator Bennett. That is correct.

Chairman Schumer. Let me, while I am doing that, introduce our new chief of staff, Jean Bordewich. Please say hello to everybody.

Ms. Bordewich. Hello. It's nice working with everyone.

Chairman Schumer. Jean is one of the most capable people I have met and we know each other since we were 19 years old and we were interns here in Washington. You will be happy to know on this side of the aisles, I was an intern for a Republican senator, Senator Charles Goodell, of Jamestown, New York.

Senator Bennett. I remember him.

Chairman Schumer. He was a fine person. His son is now the commissioner of the NFL and still remembers the Buffalo Bills and how important they are. And Jean Bordewich worked for Congressman Richardson Pryor, who was a Democrat from Greensboro?

Ms. Bordewich. Greensboro, North Carolina.

Chairman Schumer. Greensboro, North Carolina, and we became friends then and have stayed in touch. I am really privileged that she decided to take this job and I think we will all be lucky.

Our counsel is Jason Abel, another very, very capable person. Those are the two new people and the rest of the staff are all from Senator Feinstein and Senator Bennett's tenure because they did such a great job there was no need to change staff.

Senator Warner?

Senator Warner. As a new member of the committee and of the Senate, and if you have two minutes to kill, can you give us a little quickie overview of--I think I understand the jurisdiction of the Committee, but if you could explain it again and what you think we might be taking on.

Chairman Schumer. The Committee, of course, has jurisdiction, I guess you divide it into two parts, one is the legislation jurisdiction, one is the administrative jurisdiction.

The administrative I think everyone is familiar with in the sense that it deals with budgets, it deals with rooms, it deals with parking spaces. But the amazing thing is, it deals with many, many other issues that we never have to really worry about because the staff does such a great job.

I mean, for instance, they are in charge of all of the Capitol grounds, the Visitor's Center, the restaurants, things like that. Some meet with the police chief every few days just to make sure everything is going correctly there.

One of the issues that we might face, some have wanted to--Senator Durbin, thanks for coming, Dick. Somebody has said we have an old coal burning heating facility and some have moved that we upgrade it. Of course, it is a large expense.

So there are those kinds of issues that come before us, the Smithsonian, so many others. The Library of Congress is in our jurisdiction. They are very interesting issues; I did not realize them until the other night. We had a briefing and the number of

different issues that say Jean has to deal with everyday that we do not have to bother. These are not partisan issues. These are just sort of picking up the garbage, as they say.

The other is the legislative issues which are very, very interesting. It is in a few areas. Anything to do with elections. There is obviously all kinds of issues of election law reform. President Obama has been interested in these issues and I expect we are going to be pretty active in that area this year in terms of elections, in terms of voting and things like that.

Second obviously is campaign finance reform, another issue that always seems to bubble up. That is an issue again that we have jurisdiction over and probably there are things that have to change in terms of campaign finance reform, places where it is broken.

And the third, which is sort of legislative, is an issue I think we are going to be talking about more and more, is the rules of the Senate and how the Senate works and how it is governed. And again, cannot do anything if you cannot come to bipartisan agreement on rules of the Senate because the rules need two-thirds change. But there may be a need to change some of those rules.

Those, I would say, would be the three major areas of jurisdiction and I think each of them will sort of be bubbling this year, election law reform clearly, campaign finance reform and even rules of the Senate in terms of how we function.

So that is basically the jurisdiction of the Committee, and if you can come up with any new jurisdictions that will not get our fellow Committee members angry on

other committees, feel free.

Dick, do you want to say anything?

Senator Durbin. It is an interesting committee and does have some important considerations, issues to consider, I should say. I had a public financing proposal with Senator Specter in the last Congress that we would like to return to. I hope that that will be part of the conversation.

Senator Feinstein was kind enough to give us a hearing. I would like to see in light of the intervening Supreme Court decision if we can go back to this and see if it needs to be modified.

Chairman Schumer. Right, the whole area of public finance with the law that was passed, McCain-Feingold, a couple of years ago, does need a review because there were certain things they thought would happen did not, certain other unexpected consequences that occurred, and then some like Senator Durbin and Senator Specter think the whole thing should be changed around and we ought to move to public financing. These are very important issues and certainly it is something we are going to look at.

We have now three, six, eight.

Senator Bennett. We have nine.

Chairman Schumer. We have nine?

Senator Bennett. We have nine.

Chairman Schumer. No, we don't. One, two.

Senator Bennett. We have eight.

Chairman Schumer. Eight?

Senator Bennett. Eight.

Chairman Schumer. You know, even if Senator Feinstein -- is anyone else expected? I am not going to keep us here.

Well, I think I am not going to make people wait. We will try to have the vote on the funding off the floor. It was nice of all of you to come. We did adopt the rules. We only needed seven for those before Dick and Ben came in, but thank you for coming and we will just try to convene a quick little meeting on the floor to adopt the funding resolution, if that is okay. I think it is unfair to make people wait any further.

So thanks very much for coming and we will continue to have muffins, because it brought a pretty good turnout. Thank you.

[Whereupon, at 10:53 a.m., the committee was adjourned and reconvened at 5:27 p.m. in the Capitol on this same day. Present: Senators Schumer, Dodd, Feinstein, Durbin, Murray, Pryor, Udall, Bennett, Hutchison, Chambliss, Alexander and Roberts.]

Chairman Schumer: The Rules Committee will come to order. Earlier today, we approved our Rules of Procedure, and now that we have at least 10 members, I will entertain a motion to adopt the original resolution authorizing biennial expenditures for the Rules Committee. Is there a motion?

Senator Bennett: I move, Mr. Chairman.

Chairman Schumer: Is there a second?

[A chorus of speakers.] I second.

Chairman Schumer: Since there has been no request for a roll call vote, this will be a voice vote. All in favor, say aye:

[A chorus of ayes.]

Chairman Schumer: Opposed, nay.

[No response.]

Chairman Schumer: The motion is agreed to – the original resolution is approved and ordered reported. Since there is no further business, the Committee is adjourned subject to the call of the chair.

[Whereupon, at 5:35 p.m., the Committee was adjourned.]